

HOUSE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE NO. 2

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FOR

SENATE BILLS NOS. 1279, 1162, & 1164

AN ACT

2 To repeal sections 99.845, 172.273, and
3 253.559, RSMo, and to enact in lieu thereof
4 twenty-seven new sections relating to
5 community development, with a termination
6 date for a certain section and an effective
7 date for a certain section.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
9 AS FOLLOWS:

10 Section A. Sections 99.845, 172.273, and 253.559, RSMo, are
11 repealed and twenty-seven new sections enacted in lieu thereof,
12 to be known as sections 67.642, 67.2000, 67.2003, 67.2006,
13 67.2009, 67.2012, 67.2015, 67.2018, 67.2021, 67.2024, 67.2027,
14 67.2030, 67.2033, 67.2036, 67.2039, 67.2042, 67.2045, 67.2048,
15 67.2051, 67.2054, 67.2056, 67.2057, 67.2060, 67.2076, 99.845,
16 172.273, and 253.559, to read as follows:

17 67.642. 1. The general assembly may annually appropriate

1 up to nine million eight hundred thousand dollars from the state
2 general revenue fund to fund projects undertaken and partially
3 funded from a retail sales tax approved pursuant to sections
4 70.500 to 70.510, RSMo, relating to the Kansas and Missouri
5 metropolitan cultural district. Moneys so appropriated shall be
6 transferred to a project fund established by the most populous
7 county in Missouri participating in the metropolitan cultural
8 district and shall be used only if the cumulative annual sales
9 tax revenue generated by the metropolitan cultural district
10 exceeds the cumulative annual state general fund appropriation.
11 In no event shall any moneys be appropriated or transferred
12 pursuant to this section prior to the 2006 fiscal year of the
13 state.

14 2. No moneys shall be appropriated or transferred pursuant
15 to this section until after the date upon which the Kansas and
16 Missouri metropolitan cultural district retail sales tax, in
17 effect as of January 1, 2002, pursuant to sections 70.500 to
18 70.510, RSMo, is renewed or extended.

19 3. No moneys shall be appropriated or transferred for the
20 benefit of a sports stadium pursuant to this section until after
21 the date upon which the lease agreement for the use of such
22 sports stadium, in effect as of January 1, 2002, is renewed or
23 extended. Any major league sports team subject to a lease
24 agreement pursuant to this subsection shall contribute one
25 hundred thousand dollars per year to the "African American

1 Community Trust Fund" which is hereby established.

2 Notwithstanding the provisions of section 33.080, RSMo, to the
3 contrary, moneys in the African American community trust fund
4 shall not revert to the general revenue fund. Interest accruing
5 to the fund shall be part of the fund. The fund shall be spent
6 in economically disadvantaged areas. Such fund shall be
7 specifically allocated to projects that develop, support, or
8 enhance cultural or sports activities within the minority
9 community. The fund shall be administered by a board of seven
10 members which shall be appointed as follows: one member from
11 each major league sports team subject to a lease pursuant to this
12 subsection; one member from the Jackson County sports complex
13 authority authorized pursuant to sections 64.920 to 64.950, RSMo;
14 one member which shall represent minorities appointed by the
15 county executive of the most populous county in Missouri
16 participating in the Kansas and Missouri metropolitan cultural
17 district; one member which shall represent minorities appointed
18 by the mayor of the most populous city within the Kansas and
19 Missouri metropolitan cultural district; and two members
20 appointed by the community development corporation association
21 pursuant to subsection 3 of section 135.400, RSMo. Members shall
22 serve four year terms. Such funds shall be specifically
23 allocated to projects that develop, support or enhance cultural
24 or sports activities within the minority community. The board
25 shall have the responsibility of determining the eligibility of

1 the applicants for these funds. All or part of the funds may be
2 granted to a specific project.

3 4. Notwithstanding the provisions of section 33.080, RSMo,
4 any amount remaining in a convention and sports complex fund
5 created pursuant to section 67.639 shall not be placed to the
6 credit of the general revenue fund at the end of each biennium.
7 All interest and moneys earned on the fund shall be credited to
8 the fund.

9 5. The Jackson County sports complex authority created
10 pursuant to section 64.920 to 64.950, RSMo, shall require all
11 businesses, vendors and contractors to provide information
12 assuring the enforcement of an equal opportunity employment plan
13 and a minority and women business enterprise program that is
14 based on population and availability and contains specific goals
15 for each such business, vendor and contractor, as applicable
16 under state law. The Jackson County sports complex authority
17 shall implement and maintain an equal opportunity employment plan
18 and a minority and women business enterprise program with
19 specific goals, which shall be identified and reported by
20 ethnicity and gender. The Jackson County sports complex
21 authority shall assure the utilization of state-certified
22 minority and women-owned businesses in all areas of the
23 developmental and operational phases of the sports complex,
24 congruent with the established category of goals in construction,
25 professional services, materials and supplies and other services

1 with state certification dependent on minority and women-owned
2 businesses having their principal place of business located in
3 Missouri. The Jackson County sports complex authority shall
4 engage the services of a compliance monitor, either by direct
5 employment or professional service contract to assist in the
6 implementation and enforcement of such goals.

7 67.2000. Sections 67.2000 to 67.2060 shall be known and may
8 be cited as the "Sports Center Redevelopment Authority Act".

9 67.2003. As used in sections 67.2000 to 67.2060, the
10 following terms mean:

11 (1) "Authority" or "sports center redevelopment authority",
12 a public body corporate and politic and political instrumentality
13 created by or pursuant to sections 67.2000 to 67.2060;

14 (2) "Blighted area", an area which, by reason of the
15 predominance of defective or inadequate street layout, unsanitary
16 or unsafe conditions, deterioration of site improvements,
17 improper subdivision or obsolete platting, age, obsolescence,
18 inadequate or outmoded design, or the existence of conditions
19 which endanger life or property by fire and other causes, or any
20 combination of such factors, retards the provision of housing
21 accommodations or constitutes an economic or social liability or
22 menace to the public health, safety, morals or welfare in its
23 present condition and use;

24 (3) "Bond", any bonds, including refunding bonds, notes,
25 interim certificates, debentures, or other obligations issued by

1 a sports center redevelopment authority or other public body
2 pursuant to sections 67.2000 to 67.2060;

3 (4) "City", any city not within a county in the state of
4 Missouri wherein there is located a major league sports facility;

5 (5) "City naming rights fund", the fund of the authority
6 which contains the city's portion of revenues received from the
7 sale of the naming rights for the stadium;

8 (6) "Clerk", the clerk or other official of the
9 municipality or county who is the custodian of the official
10 records of the municipality or county;

11 (7) "Conservation area", any improved area within the
12 boundaries of a sports center redevelopment area in which one or
13 more of the structures in the area has an age of thirty-five
14 years or more. Such an area is not yet a blighted area but is
15 detrimental to the public health, safety, morals or welfare and
16 may become a blighted area because of any one or more of the
17 following actors: dilapidation; obsolescence; deterioration;
18 age; illegal use of individual structures; presence of structures
19 below minimum code standards; abandonment; excessive vacancies;
20 overcrowding of structures and community facilities; lack of
21 ventilation, light or sanitary facilities; inadequate utilities;
22 excessive land coverage; deleterious land use or layout;
23 depreciation of physical maintenance; and lack of community
24 planning;

25 (8) "County", any county with a charter form of government

1 and a population of more than one million inhabitants;

2 (9) "County convention and recreation trust fund", the
3 trust fund established pursuant to section 67.657;

4 (10) "County executive", the chief elected officer having
5 the duties customarily imposed upon the executive head of a
6 county;

7 (11) "Economic activity taxes", the total additional
8 revenue, in a calendar year, from taxes which are imposed by the
9 city and other taxing districts, and which are generated by
10 economic activities within the sports center redevelopment area
11 over the amount of such taxes generated by economic activities
12 within such sports center redevelopment area in the third
13 calendar year before the adoption of the resolution of
14 declaration approving the need for establishing a sports center
15 redevelopment authority, including payments in lieu of such
16 taxes, but excluding personal property taxes and taxes imposed on
17 sales or charges for sleeping rooms paid by transient guests of
18 hotels and motels, and the sales taxes imposed by subsection 5 of
19 section 162.1100, RSMo, commencing on January first of the year
20 in which such approval occurs and continuing while the sports
21 center redevelopment plan remains in effect;

22 (12) "Federal government", the United States of America or
23 any agency or instrumentality, corporate or otherwise, of the
24 United States of America;

25 (13) "Governing body", the county council, board of

1 aldermen, or other legislative body charged with governing the
2 city or the county;

3 (14) "Major league", means the league of professional
4 baseball clubs constituting Major League Baseball, as now or
5 hereafter constituted or organized, or the league of professional
6 football clubs constituting the National Football League, as now
7 or hereafter constituted or organized, or the league of
8 professional basketball clubs constituting the National
9 Basketball Association, as now or hereafter constituted or
10 organized, or the league of professional hockey clubs
11 constituting the National Hockey League, as now or hereafter
12 constituted or organized;

13 (15) "Mayor", the elected mayor of the city or the chief
14 elected officer having the duties customarily imposed upon the
15 mayor of a city;

16 (16) "Municipality", a city, village, incorporated town, or
17 any county of this state;

18 (17) "New state revenues" are defined as:

19 (a) The increase, in a calendar year, in the general
20 revenue portion of state sales tax revenues received pursuant to
21 section 144.020, RSMo, from the designated sports center
22 redevelopment area, excluding sales taxes that are
23 constitutionally dedicated, taxes deposited to the school
24 district tax fund in accordance with section 144.701, RSMo, and
25 sales and use taxes on motor vehicles, trailers, boats, and

1 outboard motors, and future sales taxes earmarked by law, over
2 the amount of such taxes generated within such sports center
3 redevelopment area in the third calendar year before the adoption
4 of the resolution or declaration approving the need for
5 establishing a sports center redevelopment authority, including
6 payments in lieu of such taxes, commencing on January first of
7 the year in which such approval occurs and continuing while the
8 sports center redevelopment plan remains in effect; and

9 (b) The increase, in a calendar year, in state income tax
10 withheld on behalf of employees by the employer pursuant to
11 section 143.221, RSMo, derived from sources within the sports
12 center redevelopment area over the amount of such taxes derived
13 from sources within the redevelopment area in the third calendar
14 year before the adoption of the resolution or declaration
15 approving the need for establishing a sports center redevelopment
16 authority, including payments in lieu of such taxes, commencing
17 on January first of the year in which such approval occurs and
18 continuing while the sports center redevelopment plan remains in
19 effect;

20 (18) "Person", any individual, firm, partnership,
21 corporation, company, association, joint stock association, or
22 body politic; and shall include any trustee, receiver, assignee,
23 or other similar representative thereof;

24 (19) "Project costs", include the sum total of all
25 reasonable or necessary costs incurred or estimated to be

1 incurred in connection with, and any such costs incidental to, a
2 sports center redevelopment plan or sports center redevelopment
3 project, as applicable. Such costs include, but are not limited
4 to, the following:

5 (a) Costs of studies, surveys, plans, and specifications;

6 (b) Professional service costs, including, but not limited
7 to, architectural, engineering, legal, marketing, financial,
8 planning, or special services;

9 (c) Property assembly costs, including, but not limited to,
10 acquisition of land and other property, real or personal, or
11 rights or interests therein, demolition of buildings, and the
12 clearing and grading of land;

13 (d) Costs of rehabilitation, reconstruction, or repair or
14 remodeling of existing buildings and fixtures;

15 (e) Costs of construction of public works, stadiums,
16 buildings, parking lots, or other improvements, including
17 utilities and infrastructure and costs of fees and permits;

18 (f) Financing costs, including, but not limited to, all
19 necessary and incidental expenses related to the issuance of
20 bonds, and which may include payment of interest on any bonds
21 issued hereunder accruing during the estimated period of
22 construction of any sports center redevelopment project for which
23 such bonds are issued, and including reasonable reserves related
24 thereto;

25 (g) All or a portion of capital costs resulting from the

1 sports center redevelopment project necessarily incurred or to be
2 incurred in furtherance of the objectives of the sports center
3 redevelopment plan and project, to the extent such costs are
4 accepted and approved by written agreement; and

5 (h) Relocation costs to the extent that it is determined
6 that relocation costs shall be paid or are required to be paid by
7 federal or state law;

8 (20) "Public body", the state or any municipality,
9 township, board, agency, commission, authority, district, or any
10 other political subdivision of the state;

11 (21) "Real property", all lands, including improvements and
12 fixtures thereon, and property of any nature appurtenant thereto,
13 or used in connection therewith, and every estate, interest, and
14 right, legal or equitable, therein, including terms for years and
15 liens by way of judgment, mortgage, or otherwise;

16 (22) "Redeveloper", any person, partnership, or public or
17 private corporation or agency that enters into or proposes to
18 undertake a sports center redevelopment plan or project;

19 (23) "Redevelopment", the process of undertaking and
20 carrying out a sports center redevelopment plan or project;

21 (24) "Redevelopment contract", a contract entered into
22 between an authority or other public body and a redeveloper or
23 other private entity in furtherance of a sports center
24 redevelopment project or projects in conformity with a sports
25 center redevelopment plan;

1 (25) "Special allocation fund", a fund of the city for the
2 deposit of economic activity taxes allocated to a sports center
3 redevelopment project;

4 (26) "Sports center redevelopment area", an area in the
5 city designated by the city as a blighted area or a conservation
6 area with respect to which a sports center redevelopment plan is
7 to be carried out;

8 (27) "Sports center redevelopment plan", a plan as it
9 exists from time to time for the elimination, through the
10 construction of a sports center redevelopment project or
11 projects, of those conditions the existence of which qualified
12 the sports center redevelopment area as a blighted area or
13 conservation area;

14 (28) "Sports center redevelopment project" or "project",
15 any work or undertaking in furtherance of a sports center
16 redevelopment plan, including, but not limited to, the following
17 activities:

18 (a) To acquire lands, and to acquire, construct, and equip
19 structures and other improvements, wherever located, which are
20 necessary or incidental to the proper development or
21 redevelopment of a sports center redevelopment area;

22 (b) To clear any areas by demolition or removal of existing
23 buildings, structures, streets, utilities, or other improvements
24 thereon and to install, construct, or reconstruct streets,
25 utilities, and site improvements essential to the preparation of

1 sites for uses in accordance with a sports center redevelopment
2 plan;

3 (c) To sell, acquire, lease, or otherwise make available
4 land for recreational, commercial, or other use or for public use
5 or to retain such land for public use, in accordance with a
6 sports center redevelopment plan;

7 (d) To develop, construct, reconstruct, rehabilitate,
8 repair, equip or improve buildings, structures, stadiums, and
9 other facilities.

10 The term "sports center redevelopment project" may also include
11 the preparation of a sports center redevelopment plan, the
12 planning, survey and other work incident to a sports center
13 redevelopment project and the preparation of all plans and
14 arrangements for carrying out a sports center redevelopment
15 project;

16 (29) "Stadium", a sports facility suited for the play of a
17 major league sport or sports which is approved by the city as
18 part of a sports center redevelopment plan;

19 (30) "State", the state of Missouri;

20 (31) "State naming rights fund", the fund of the authority
21 which contains the state's portion of revenues received from the
22 sale of the naming rights for the stadium; and

23 (32) "Taxing districts", any political subdivision of this
24 state having the power to levy taxes.

25 67.2006. It is hereby found and declared that there exist

1 blighted, deteriorated and deteriorating areas injurious to the
2 public health, safety, morals and welfare of the residents of the
3 state that cannot be dealt with effectively by the ordinary
4 operations of private enterprise without the aids provided in
5 sections 67.2000 to 67.2060; that the elimination or prevention
6 of blight and the detrimental conditions in such areas, the
7 acquisition and preparation of land in or necessary to the
8 development, renewal or rehabilitation of such areas and its sale
9 or lease for development, renewal or rehabilitation in accordance
10 with general plans and redevelopment plans of communities and any
11 assistance which may be given by any public body in connection
12 therewith are public uses and purposes for which public money may
13 be expended and private property acquired; and that the necessity
14 in the public interest for the provisions thus enacted is hereby
15 declared as a matter of legislative determination; and that
16 deteriorated or deteriorating areas, or portions thereof, may
17 require acquisition and clearance, as provided in this law, since
18 the prevailing condition may make impracticable the reclamation
19 of the area by conservation or rehabilitation. A sports center
20 redevelopment authority, to the greatest extent it determines to
21 be feasible in carrying out sections 67.2000 to 67.2060, shall
22 afford maximum opportunity, consistent with the sound needs of
23 the community as a whole, to the rehabilitation or redevelopment
24 or renewal of areas by private enterprise and will significantly
25 benefit the public by increasing state and local tax revenues

1 through the creation of new jobs, increased sales, increased
2 property tax values and taxes withheld from employees by
3 employers, and by enhancing regional tourism, and creating an
4 environment to stimulate additional private investment in the
5 area where new development will be located.

6 67.2009. There may be created in a city not within a county
7 wherein there is located a major league sports facility, and in
8 each county with a charter form of government with at least one
9 million inhabitants, a joint sports center redevelopment
10 authority for the purposes of establishing and carrying out a
11 sports center redevelopment plan as set forth in sections 67.2000
12 to 67.2060. The authority shall be created and shall be
13 authorized to transact any business and exercise its powers
14 hereunder upon the adoption by the governing body of the city and
15 the county of a resolution or other declaration determining that
16 there is a need for such an authority to carry out a sports
17 center redevelopment plan.

18 67.2012. 1. A board of commissioners composed of nine
19 members shall govern the authority created pursuant to this
20 section. All commissioners shall be Missouri residents. The
21 commissioners shall be appointed as follows:

22 (1) Two commissioners shall be appointed by the mayor of
23 the city with the advice and consent of the governing body of the
24 city;

25 (2) Two commissioners shall be appointed by the county

1 executive of the county with the advice and consent of the
2 governing body of the county;

3 (3) Five commissioners shall be appointed by the governor
4 with the advice and consent of the senate. No such commissioner
5 shall be a resident of a United States congressional district
6 that includes all or any portion of the county or the city of St.
7 Louis. No more than three such commissioners shall be from any
8 one political party. At least one such commissioner shall be a
9 retired appellate or circuit court judge who did not leave his or
10 her position as a judge as a result of being defeated in an
11 election or as a result of being retired or removed pursuant to
12 article V, section 24, of the Missouri Constitution. At least
13 one such commissioner shall have expertise in contract law. One
14 commissioner shall be an elected state wide office holder, and
15 one commissioner shall be an employee of the executive department
16 who shall serve as the governor's personal representative and who
17 shall serve at the pleasure of the governor. No commissioner, or
18 their immediate family, shall receive, directly or indirectly,
19 any gift, gratuity, political contribution, or other thing of
20 value from any person, corporation, association, or firm which
21 has any financial interest in the team or is a party to the lease
22 specified in subsection 1 of section 67.2054, or who owns any
23 interest in real estate within a sports center redevelopment
24 area, or who undertakes to contract for the improvements of
25 buildings and real estate in a sports center redevelopment area

1 or any contractor or subcontractor who makes and receives bids
2 from the awarding authority on projects within such area. The
3 commissioners shall be subject to the provisions of sections
4 105.450 to 105.496, RSMo, as appointed officials, and shall carry
5 the additional responsibility of being a fiduciary of the state
6 and shall be charged with the duty of protecting the state's
7 interests with regard to the provisions of this act.

8 2. Two of the five commissioners who are first appointed by
9 the governor shall be designated to serve for a term of one year
10 from the date of the appointment. One of each of the two
11 commissioners who are first appointed by the mayor and the county
12 executive shall be designated to serve for terms of two years
13 from the date of their appointments. The remaining commissioner
14 initially appointed by each of the mayor and the county executive
15 and two of the commissioners initially appointed by the governor
16 shall be designated to serve for terms of three years from the
17 date of their appointments. The remaining commissioner initially
18 appointed by the governor shall be designated for a term of four
19 years from the date of the appointment. Thereafter,
20 commissioners shall be appointed in the same manner for a term of
21 office for four years except that all vacancies shall be filled
22 for the unexpired term.

23 3. The commissioners shall meet and select one of the
24 commissioners as chair of the authority on an annual basis.

25 4. The powers vested in the authority shall be exercised by

1 the board of commissioners thereof. A majority of the
2 commissioners shall constitute a quorum of such board for the
3 purpose of conducting business and exercising the powers of the
4 authority and for all other purposes. Action may be taken by the
5 board upon a vote of a majority of the commissioners present
6 either in person or via telephonic conference. Meetings of the
7 board of an authority may be held anywhere.

8 5. An authority may employ an executive director, technical
9 experts, and such other officers, agents, and employees,
10 permanent and temporary, as it may require, and shall determine
11 their qualifications, duties, and compensation. For such legal
12 services as it may require, an authority may call upon or may
13 employ its own counsel. An authority may delegate to one or more
14 of its agents or employees such powers or duties as it may deem
15 proper.

16 6. No commissioner or employee of the authority shall have
17 or acquire any interest, direct or indirect, in any sports center
18 redevelopment project, in any major league team that shall use
19 any sports center redevelopment project, or in any property
20 included or planned by the authority to be included in any such
21 project, or in any contract or proposed contract in connection
22 with any such project.

23 7. If any commissioner or employee owned or controlled
24 within the preceding two years any interest, direct or indirect,
25 in any property included or planned by the authority to be

1 included in any sports center redevelopment area, the
2 commissioner or employee shall immediately disclose such interest
3 in writing to the authority and such disclosure shall be entered
4 upon the minutes of the authority.

5 8. Any violation of subsections 6 and 7 of this section
6 shall constitute misconduct in office and shall be cause for
7 removal from the authority.

8 67.2015. An authority shall constitute a public body
9 corporate and politic and political instrumentality, exercising
10 public and essential governmental functions, and having all the
11 powers necessary or convenient to carry out and effectuate the
12 purposes of sections 67.2000 to 67.2060, including the following
13 powers in addition to others granted in sections 67.2000 to
14 67.2060:

15 (1) To sue and to be sued; to have a seal and to alter the
16 same at pleasure; to have perpetual succession; to make and
17 execute contracts and other instruments necessary or convenient
18 to the exercise of the powers of the authority; and to make and
19 from time to time amend and repeal bylaws, rules and regulations,
20 not inconsistent with sections 67.2000 to 67.2060, to carry out
21 sections 67.2000 to 67.2060;

22 (2) To prepare or cause to be prepared and to adopt or
23 approve sports center redevelopment plans and to undertake and
24 carry out sports center redevelopment projects;

25 (3) To arrange or contract for the furnishing or repair, by

1 any person or agency, public or private, of services, privileges,
2 works, streets, roads, public utilities, or other facilities for
3 or in connection with a sports center redevelopment project; and
4 notwithstanding anything to the contrary contained in sections
5 67.2000 to 67.2060 or any other provision of law, to agree to any
6 conditions that it may deem reasonable and appropriate attached
7 to federal financial assistance and imposed pursuant to federal
8 law relating to the determination of prevailing salaries or wages
9 or compliance with labor standards, in the undertaking or
10 carrying out of a stadium or sports center redevelopment project,
11 and to include in any contract let in connection with such a
12 project provisions to fulfill such of the conditions as it may
13 deem reasonable and appropriate;

14 (4) To purchase, lease, obtain options upon, acquire by
15 gift, grant, bequest, devise, eminent domain, or otherwise, any
16 real or personal property or any interest therein, including fee
17 simple absolute title, together with any improvements thereon,
18 necessary or incidental to a sports center redevelopment project;
19 to hold, improve, clear, or prepare for development or
20 redevelopment any such property; to develop, construct,
21 reconstruct, rehabilitate, repair, or improve stadiums, parking
22 garages, buildings, structures, and any other facilities; to
23 sell, lease, exchange, transfer, assign, subdivide, retain for
24 its own use, mortgage, pledge, hypothecate, or otherwise encumber
25 or dispose of any real or personal property or any interest

1 therein; to enter into contracts with redevelopers or developers
2 of property and with other public bodies containing covenants,
3 restrictions, and conditions regarding the use of such property
4 for commercial, industrial, recreational purposes or for public
5 purposes in accordance with a sports center redevelopment project
6 and such other covenants, restrictions, and conditions as the
7 authority may deem necessary or to effectuate sections 67.2000 to
8 67.2060; to make any of the covenants, restrictions, or
9 conditions of the foregoing contract covenants running with the
10 land, and to provide appropriate remedies for any breach of any
11 such covenants or conditions, including the right in the
12 authority to terminate such contracts and any interest in the
13 property created pursuant thereto; to borrow money and issue
14 bonds and provide security therefor; to insure or provide for the
15 insurance of any real or personal property or operations of the
16 authority against any risks or hazards, including the power to
17 pay premiums on any such insurance; and to enter into any
18 contracts necessary to effectuate sections 67.2000 to 67.2060;
19 provided, however, that no statutory provision with respect to
20 the acquisition, clearance, or disposition of property by other
21 public bodies shall restrict an authority or other public bodies
22 exercising powers granted in sections 67.2000 to 67.2060, in such
23 functions, unless the legislature shall specifically so state;

24 (5) To make plans for carrying out a program of voluntary
25 rehabilitation or development of buildings and improvements,

1 plans for the enforcement of state and local laws, codes, and
2 regulations relating to the use of land and the use and occupancy
3 of buildings and improvements, and for the compulsory repair,
4 rehabilitation, development, demolition, or removal of buildings
5 and improvements;

6 (6) To invest any funds held in reserves or sinking funds
7 or any funds not required for immediate disbursement, in property
8 or securities in which the authority legally may invest funds;

9 (7) To purchase or redeem its bonds and to cancel all such
10 bonds purchased or redeemed;

11 (8) To borrow money and to apply for and accept and
12 contract for advances, loans, grants, contributions, and any
13 other form of financial assistance from the federal government,
14 the state, county, municipality, or other public body or from any
15 sources public or private, for the purposes of sections 67.2000
16 to 67.2060, to give such security as may be required and to enter
17 into and carry out contracts in connection therewith;

18 (9) Acting through one or more commissioners or other
19 persons designated by the authority, to conduct examinations and
20 investigations and to hear testimony and take proof under oath at
21 public or private hearings on any matter material for its
22 information;

23 (10) To make or have made all surveys, studies, and plans,
24 including but not limited to the preparation of planning,
25 necessary to the carrying out of sections 67.2000 to 67.2060 and,

1 in connection therewith, to enter into or upon any land,
2 building, or improvement thereon for such purposes and to make
3 soundings, test borings, surveys, appraisals, and other
4 preliminary studies and investigations necessary to carry out its
5 powers, but such entry shall constitute no cause of action for
6 trespass in favor of the owner of such land, building, or
7 improvement except for injuries resulting from wantonness or
8 malice; and to contract or cooperate with any and all persons or
9 agencies, public or private, in the making and carrying out of
10 the surveys, appraisals, studies, and plans;

11 (11) To prepare plans and provide reasonable assistance for
12 the relocation of families, if any, displaced from a sports
13 center redevelopment project area, to the extent essential for
14 acquiring possession of and clearing or renewing the area or
15 parts thereof;

16 (12) To make such expenditures as may be necessary to carry
17 out the provisions of sections 67.2000 to 67.2060; and to make
18 expenditures from funds obtained from other taxing districts
19 without regard to any other laws pertaining to the making and
20 approval of appropriations and expenditures;

21 (13) To delegate to a municipality or other public body any
22 of the powers or functions of the authority with respect to the
23 planning or undertaking of a sports center redevelopment project
24 in the area in which the authority is authorized to act, and the
25 municipality or other public body is hereby authorized to carry

1 out or perform such powers or functions for the authority;

2 (14) To exercise all powers or parts or combinations of
3 powers necessary, convenient or appropriate to undertake and
4 carry out sports center redevelopment plans and projects and all
5 the powers granted in sections 67.2000 to 67.2060;

6 (15) To loan the proceeds of the bonds hereinafter
7 authorized to provide for the purchase, construction, extension,
8 and improvement of a sports center redevelopment project by a
9 redeveloper pursuant to a redevelopment contract approved by the
10 authority;

11 (16) To fix, charge, and collect fees, rents, and other
12 charges for the use of any building or property owned or leased
13 by it or any part thereof, and to fix, charge and collect fees
14 and other charges with respect to other facilities within the
15 sports center redevelopment area;

16 (17) To accept grants, contributions, guarantees, and
17 donations of property, labor, money, or other things of value
18 from a public or private source for use within a sports center
19 redevelopment area or for the payment of bonds, provided that no
20 contribution of real property by a major league sports franchise
21 to a sports center redevelopment authority for purposes of a
22 sports center redevelopment project shall be allowed as a
23 deduction on such major league franchise's state tax return
24 pursuant to Chapter 143, RSMo; and

25 (18) To incur development costs and issue bonds.

1 67.2018. 1. Within a sports center redevelopment area, an
2 authority shall have the right to acquire by the exercise of the
3 power of eminent domain any real property or interest therein
4 which it may deem necessary for a sports center redevelopment
5 project or for its purposes pursuant to sections 67.2000 to
6 67.2060 after the adoption by the authority of a resolution
7 declaring that the acquisition of the real property described
8 therein is necessary for such purposes. An authority may
9 exercise the power of eminent domain in the manner and under the
10 procedure provided for corporations in sections 523.010 to
11 523.070, 523.090, and 523.100, RSMo, or it may exercise the power
12 of eminent domain in the manner provided in the charter of the
13 city for the exercise of the power of eminent domain; provided
14 however that the authority shall comply with the provisions of
15 section 71.525, RSMo.

16 2. Property already devoted to a public use may be acquired
17 in like manner, provided that no real property belonging to any
18 public body may be acquired without its consent.

19 67.2021. For the purpose of aiding and cooperating in the
20 planning, undertaking, or carrying out of a sports center
21 redevelopment plan or project, any public body may, upon such
22 terms, with reasonable consideration, as it may determine:

23 (1) Dedicate, sell, convey, or lease any of its interest in
24 any property, or grant easements, licenses, or any other rights
25 or privileges therein to an authority;

1 (2) Cause parks, playgrounds, recreational, community,
2 educational, water, sewer, or drainage facilities, or any other
3 works which it is otherwise empowered to undertake, to be
4 furnished in compliance with a sports center redevelopment plan;

5 (3) Furnish, dedicate, close, vacate, pave, install, grade,
6 regrade, plan, or replan streets, roads, sidewalks, ways, or
7 other places, which it is otherwise empowered to undertake;

8 (4) Plan or replan, zone or rezone any part of the public
9 body, or make exceptions from building regulations and ordinances
10 if such functions are of the character which the public body is
11 otherwise empowered to perform;

12 (5) Cause administrative and other services to be furnished
13 to the authority of the character which the public body is
14 otherwise empowered to undertake or furnish for the same or other
15 purposes;

16 (6) Incur the entire expense of any public improvements or
17 other services made or provided by such public body in exercising
18 the powers granted in this section;

19 (7) Approve a sports center redevelopment plan and do any
20 and all things necessary or convenient to aid and cooperate in
21 the planning or carrying out of a sports center redevelopment
22 plan;

23 (8) Lend, grant, or contribute funds or other property to
24 an authority or other public body;

25 (9) Employ any funds belonging to or within the control of

1 such public body, including funds derived from the sale or
2 furnishing of property, service, or facilities to an authority,
3 in the purchase of the bonds of an authority and, as the holder
4 of such bonds, exercise the rights connected therewith;

5 (10) Lease or sublease property, including any sports
6 facility redevelopment project or portion thereof from others and
7 pay rent or other consideration therefor; and

8 (11) Enter into agreements, which may extend over any
9 period, notwithstanding any provision or rule of law to the
10 contrary, with an authority or other public body or person
11 respecting action to be taken pursuant to any of the powers
12 granted in sections 67.2000 to 67.2060. If at any time title to,
13 or possession of, any sports center redevelopment project is held
14 by any public body, other than the authority, authorized by law
15 to engage in the undertaking, carrying out, or administration of
16 development projects, the provisions of such agreements shall
17 inure to the benefit of and may be enforced by such public body.

18 67.2024. A sports center redevelopment plan shall set forth
19 in writing a general description of the program to be undertaken
20 to accomplish the objectives of such plan and shall include, but
21 need not be limited to, a legal description of the sports center
22 redevelopment area, the conditions that qualify the sports center
23 redevelopment area as a blighted area or conservation area, the
24 estimated project costs, the anticipated sources of funds to pay
25 the project costs, the anticipated type and terms of the sources

1 of funds to pay the project costs, the anticipated type and terms
2 of any bonds to be issued to finance the project cost, the most
3 recent equalized assessed valuation of the property within the
4 sports center redevelopment area, an estimate as to the equalized
5 assessed valuation of such property after redevelopment, and the
6 general land uses to apply in the sports center redevelopment
7 area. The sports center redevelopment plan shall be sufficiently
8 complete to indicate such land acquisition, demolition and
9 removal of structures, redevelopment, improvements and
10 rehabilitation as may be proposed to be carried out, zoning and
11 planning changes, if any, maximum densities, building
12 requirements and the relationship of the plan to definite local
13 objectives respecting appropriate land uses, improved traffic,
14 public transportation, public utilities, recreational and
15 community facilities, and other public improvements. Any sports
16 center redevelopment plan shall include provisions for the
17 development and/or redevelopment of both a stadium and mixed-use
18 facilities which may include reasonable parking facilities, and
19 shall include one or more of the following: housing units,
20 office space, commercial and/or retail space, and cultural and/or
21 entertainment attractions.

22 67.2027. 1. Before the approval of a sports center
23 redevelopment plan the authority shall fix a time and place for a
24 public hearing and notify each taxing district located wholly or
25 partially within the boundaries of the proposed sports center

1 redevelopment area. At the public hearing any interested person
2 or affected taxing district may file with the authority written
3 objections to, or comments on, and may be heard orally in respect
4 to, any issues embodied in the notice. The authority shall hear
5 and consider all protests, objections, comments, and other
6 evidence presented at the hearing. The hearing may be continued
7 to another date without further notice other than a motion to be
8 entered upon the minutes fixing the time and place of the
9 subsequent hearing. Before the conclusion of the hearing,
10 changes may be made in the sports center redevelopment plan,
11 provided that each affected taxing district is given written
12 notice of such changes at least seven days before the conclusion
13 of the hearing. After the public hearing but before the adoption
14 of a resolution or declaration approving a sports center
15 redevelopment plan, changes may be made to the sports center
16 redevelopment plan without a further hearing, if such changes do
17 not enlarge the exterior boundaries of the sports center
18 redevelopment area, and do not substantially affect the general
19 land uses established in the sports center redevelopment plan,
20 provided that notice of such changes shall be given by mail to
21 each affected taxing district and by publication in a newspaper
22 of general circulation in the area of the proposed redevelopment
23 not less than ten days before the adoption of the changes by a
24 resolution or declaration. After the adoption of a resolution or
25 declaration approving a sports center redevelopment plan, no

1 change to the sports center redevelopment plan shall be adopted
2 or approved which alters the exterior boundaries of the sports
3 center redevelopment area, or affects the general land uses
4 established pursuant to the sports center redevelopment plan
5 without complying with the procedures provided in this section
6 pertaining to the initial approval of a sports center
7 redevelopment plan.

8 2. Notice of the public hearing required by this section
9 shall be given by publication and mailing. Notice by publication
10 shall be given at least twice, the first publication to be not
11 more than twenty days and the second publication to be not more
12 than ten days prior to the public hearing, in a newspaper of
13 general circulation in the area of the proposed sports center
14 redevelopment area. Notice by mailing shall be given by
15 depositing such notice in the United States mail by certified
16 mail addressed to the person or persons in whose name the general
17 taxes for the last preceding year were paid on each lot, block,
18 tract, or parcel of land lying within the sports center
19 redevelopment area. Such notice shall be mailed not less than
20 ten days prior to the public hearing. In the event taxes for the
21 last preceding year were not paid, the notice shall also be sent
22 to the persons last listed on the tax rolls within the preceding
23 three years as the owners of such property.

24 3. The notices issued pursuant to this section shall
25 include the following:

1 (1) The time and place of the public hearing;

2 (2) The general boundaries of the proposed sports center
3 redevelopment area by street location, where possible;

4 (3) A statement that all interested persons shall be given
5 an opportunity to be heard at the public hearing;

6 (4) A general description of the proposed sports center
7 redevelopment plan, and a location and time where the entire plan
8 proposal may be reviewed by any interested party;

9 (5) Such other matters as the authority may deem
10 appropriate.

11 4. Not less than twenty days before the date set for the
12 public hearing, the authority shall give notice by mail as
13 provided in subsection 2 of this section to all taxing districts
14 from which taxable property is included in the sports center
15 redevelopment area, and in addition to the other requirements
16 pursuant to subsection 2 of this section, the notice shall
17 include an invitation to each taxing district to submit comments
18 to the authority concerning the subject matter of the hearing
19 before the date of the hearing.

20 5. A copy of any and all hearing notices required by this
21 section shall be submitted by the authority to the director of
22 the department of economic development of the state. Such
23 submission of the copy of the hearing notice shall comply with
24 the prior notice requirements pursuant to subsection 3 of this
25 section.

1 6. After the authority approves a sports center
2 redevelopment plan, it shall forward a copy of the plan and a
3 copy of the resolution approving the plan to the city. If the
4 governing body of the city finds that the sports center
5 redevelopment area on the whole is a blighted area or a
6 conservation area, and that the sports center redevelopment plan
7 is in the best interest of the city and its residents, the
8 governing body shall adopt an ordinance approving the sports
9 center redevelopment plan.

10 7. Upon approval of a sports center redevelopment plan by
11 the city, the authority shall forward a copy of such plan, along
12 with a certified copy of any approving resolutions, declarations
13 or ordinances, to the speaker of the house of representatives and
14 the president pro tempore of the senate.

15 67.2030. 1. Bonds may be issued by the authority or any
16 other public body to provide for project costs and other costs of
17 implementing the sports center redevelopment plan, including to
18 refund bonds issued for such purposes. The authority or other
19 public body may pledge all or any part of any funds and revenues
20 available to the authority or such public body from any source,
21 public or private, including any funds in and to be deposited in
22 the special allocation fund, to the payment of the sports center
23 redevelopment project costs and bonds. Any pledge of funds in
24 the special allocation fund may provide for distribution to the
25 applicable other taxing districts of moneys not required for

1 payment of redevelopment costs or bonds and such excess funds
2 shall be deemed to be surplus funds.

3 2. Without limiting the provisions of subsection 1 of this
4 section, the authority or other public body may pledge any part
5 or any combination of the revenues of any sports center
6 redevelopment project, or a mortgage on part or all of the sports
7 center redevelopment project owned by it, to secure its bonds or
8 other redevelopment costs.

9 3. Such bonds may be issued in one or more series bearing
10 interest at such rate or rates as the issuer shall determine.
11 Such bonds shall bear such date or dates, mature at such time or
12 times (not exceeding thirty-five years from their respective
13 dates when secured by the special allocation fund), be in such
14 denominations, carry such registration privileges, be executed in
15 such manner, be payable in such medium of payment at such place
16 or places, be subject to redemption and contain such other
17 covenants, terms, and conditions as the ordinance or resolution
18 of the issuer shall provide or authorize. Such bonds may be sold
19 at public or private sale at such price as shall be determined by
20 the governmental entity responsible for the payment of debt
21 service with respect thereto and shall state that such bonds are
22 special obligations payable solely from the funds specifically
23 pledged therefor in accordance with sections 67.2000 to 67.2060.

24 4. If any member of the authority whose signature appears
25 on any bonds shall cease to be such member before the delivery of

1 such bonds, such signature shall, nevertheless, be valid and
2 sufficient for all purposes, the same as if such member had
3 remained in office until such delivery.

4 5. In any suit, action or proceeding involving the validity
5 or enforceability of any bond issued pursuant to this section or
6 the security therefor, any such bond reciting in substance that
7 it has been issued pursuant to this section to aid in financing a
8 sports center redevelopment project shall be conclusively deemed
9 to have been issued for such purpose and such project and the
10 sports center redevelopment plan pursuant to which such project
11 is undertaken shall be conclusively deemed to have been planned,
12 approved and carried out in accordance with the purposes and
13 provisions of this law.

14 6. No person executing any bond shall be personally liable
15 for such bond by reason of the issuance thereof. The bonds
16 issued pursuant to this section shall not be a general obligation
17 of the authority, any municipality, the state, or any political
18 subdivision thereof, or any other public body, nor in any event
19 shall such bond be payable out of any funds or properties other
20 than those specifically pledged as security therefor. The bonds
21 shall not constitute indebtedness within the meaning of any
22 constitutional, statutory, or charter debt limitation or
23 restriction.

24 7. The authority or other public body shall have the power
25 to exercise all or any part or combination of the powers herein

1 granted; to make such covenants, other than and in addition to
2 the covenants herein expressly authorized; and to do any and all
3 such acts and things as may be necessary or convenient or
4 desirable in order to secure its bonds, or, in the absolute
5 discretion of said authority or other public body, as will tend
6 to make the bonds more marketable notwithstanding that such
7 covenants, acts, or things may not be enumerated herein.

8 67.2033. 1. Once a sports center redevelopment plan is
9 approved or adopted by the city and the authority in accordance
10 with sections 67.2000 to 67.2060, thereafter, for a period
11 established by the city in the ordinance approving the sports
12 center redevelopment plan or project, not to exceed thirty-five
13 years, economic activity taxes generated within the sports center
14 redevelopment area shall be allocated to and, when collected,
15 paid by the local political subdivision collecting officer to the
16 treasurer or other designated financial officer of the city or
17 other public body who shall deposit such funds into the special
18 allocation fund of the city or other public body for the purposes
19 enumerated in sections 67.2000 to 67.2060, including, but not
20 limited to, the purpose of paying project costs and bonds
21 incurred in connection therewith.

22 2. Subject to annual appropriation, the city or any other
23 public body may provide a fixed annual appropriation beginning
24 not earlier than July of the third calendar year after adoption
25 of the resolution or declaration approving the need for a sports

1 center redevelopment authority for purposes of providing debt
2 service over not more than thirty years for bonds in support of a
3 sports center redevelopment plan, including project costs. On
4 the date of the issuance of the bonds, the city's portion of
5 revenues received from naming rights for the stadium, as
6 determined by the city, and subject to any limitations of the
7 Internal Revenue Code for tax-exempt financing, shall be
8 deposited in the city naming rights fund. Available amounts in
9 the city naming rights fund shall be drawn upon by the city in
10 the event that the cumulative economic activity taxes from the
11 sports center redevelopment area, measured initially ten years
12 following the issuance of the bonds and at five-year intervals
13 thereafter and taking into account any prior payments to the
14 city, are less than the cumulative annual appropriations for the
15 applicable period made by the city for the debt service on the
16 bonds. Subject to the limitations of the Internal Revenue Code
17 for tax-exempt financing and to the reimbursement of the city for
18 any deficiency in the economic activity taxes, any excess amounts
19 in the city naming rights fund, as determined by the city, shall
20 be used for the benefit of the stadium, in the time and manner
21 specified in and subject to the terms of the redevelopment
22 contracts and related agreements. In the event that the city
23 naming rights fund shall be drawn upon for reimbursement of the
24 city for any deficiency in the economic activity taxes, then the
25 amount in the city naming rights fund shall be restored to the

1 amount required by the city to the extent of the city's portion
2 of any additional revenues from naming rights, subject to the
3 limitations of the Internal Revenue Code for tax-exempt
4 financing. The city is authorized to enter into a financing
5 agreement or other contract with the authority or any other
6 public body relating to the issuance of the bonds.

7 3. Subject to annual appropriation, the state may provide a
8 fixed annual appropriation not to exceed seven million dollars
9 per year beginning not earlier than July 2006 but after adoption
10 of the resolution or declaration approving the need for a sports
11 center redevelopment authority for purposes of providing debt
12 service over not more than thirty years for bonds that will
13 provide a net sum not to exceed one hundred million dollars in
14 support of a sports center redevelopment plan, including project
15 costs. Such amount shall be net of all reserves, capitalized
16 interest, and costs of issuance for financing such net amount
17 provided that in no year shall the amount appropriated pursuant
18 to sections 67.2000 to 67.2060 for project costs exceed seven
19 million dollars. The state's portion of revenues received from
20 naming rights for the stadium, as determined by the state and
21 subject to the limitations of the Internal Revenue Code for
22 tax-exempt financing, shall be deposited in the state naming
23 rights fund. Available amounts in the state naming rights fund
24 shall be drawn upon by the state in the event that the cumulative
25 new state revenues from the sports center redevelopment area,

1 measured initially ten years following the issuance of the bonds
2 and at five-year intervals thereafter and taking into account any
3 prior payments to the state, are less than the cumulative annual
4 appropriations for the applicable period made by the state for
5 the debt service on the bonds. Subject to the limitations of the
6 Internal Revenue Code for tax-exempt financing and to the
7 reimbursement of the state for any deficiency in the new state
8 revenues, any excess amounts in the state naming rights fund, as
9 determined by the state, shall be used for the benefit of the
10 stadium, subject to the terms of the redevelopment contracts and
11 related agreements. In the event that the state naming rights
12 fund shall be drawn upon for reimbursement of the state for any
13 deficiency in the new state revenues, then the amount in the
14 state naming rights fund shall be restored to the amount required
15 by the state to the extent of the state's portion of any
16 additional revenues from naming rights, subject to the
17 limitations of the Internal Revenue Code for tax-exempt
18 financing. The state is authorized to enter into a financing
19 agreement or other contract with the authority or any other
20 public body relating to the issuance of the bonds. The authority
21 shall require the principal user or users of the stadium:

22 (1) To take all reasonable and appropriate actions to
23 minimize the limitations of the Internal Revenue Code for
24 tax-exempt financing on the deposit and use of the state's
25 portion of revenues from naming rights as described in this

1 section; and

2 (2) To seek rulings or other advice from the Internal
3 Revenue Service where necessary or appropriate to confirm that
4 such uses are permissible.

5 4. At the time of issuance of any bonds payable from the
6 state's annual appropriation in accordance with subsection 3 of
7 this section for the purpose of constructing a stadium, and prior
8 to the release of any proceeds of such bonds, all additional
9 funds or financial instruments necessary to complete the
10 construction of such stadium shall be deposited into a
11 construction fund by the city, the county and any lessee,
12 redeveloper or sports franchise leasing such stadium.

13 5. Beginning in budget year 2006, the state auditor shall
14 conduct an annual audit of all accounts and transactions of the
15 authority pursuant to section 29.200, RSMo, and such other
16 special audits, including audits of participating cities and
17 counties, as may be necessary. All audit reports shall be
18 presented to the general assembly pursuant to section 181.100,
19 RSMo, and to the authority, the governor, the state treasurer and
20 the attorney general.

21 6. Beginning in budget year 2006, the state auditor shall
22 certify on an annual basis the amount of new state revenues for
23 each sports center redevelopment area.

24 7. In no event shall an appropriation be made pursuant to
25 the provisions of subsection 3 of this section unless a lease has

1 been entered into which complies with the provisions of
2 subsection 2 of section 67.2054.

3 67.2036. 1. At least once a year, the authority shall file
4 with the city, the state, and any other participating public body
5 a report of its activities for the preceding year, and shall make
6 recommendations with reference to such additional legislation or
7 other action as it deems necessary in order to carry out the
8 provisions of sections 67.2000 to 67.2060.

9 2. The authority shall, not less than once every three
10 years, hold a public hearing regarding the sports center
11 redevelopment plan. The purpose of the hearing shall be to
12 determine if the authority is making satisfactory progress under
13 the proposed time schedule for completion of such plan and the
14 remediation of the conditions the existence of which qualified
15 the sports center redevelopment area as a blighted area or
16 conservation area. Notice of such public hearing shall be given
17 in a newspaper of general circulation in the sports center
18 redevelopment area once each week for four weeks immediately
19 before the hearing.

20 67.2039. 1. When the costs of carrying out a sports center
21 redevelopment plan have been paid, including, but not limited to,
22 project costs and all bonds to finance such costs, all surplus
23 funds then remaining in any special allocation fund shall be paid
24 by the treasurer or other designated financial officer of the
25 city or other public body to the applicable taxing districts.

1 2. Upon the payment of all such sports center redevelopment
2 plan and project costs, retirement of all such bonds, and the
3 distribution of any excess moneys, the city or other public body
4 shall dissolve any special allocation fund for the sports center
5 redevelopment area and cease allocating any economic activity
6 taxes to such fund. Thereafter, the rates of the taxing
7 districts shall be extended and taxes levied, collected, and
8 distributed in the manner applicable in the absence of the
9 approval of a sports center redevelopment plan.

10 3. Nothing herein shall be construed as relieving property
11 in the affected areas from paying a uniform rate of taxes, as
12 required by article X, section 3 of the Missouri Constitution.

13 67.2042. Notwithstanding any other provision to the
14 contrary, with respect to any sports center redevelopment plan
15 approved in any city not within a county, any county with a
16 charter form of government and with more than one million
17 inhabitants may annually contribute tax revenues deposited in the
18 county convention and recreation trust fund, or any other general
19 or special fund designated by the county, in support of the
20 sports center redevelopment plan.

21 67.2045. 1. The income of the authority and all properties
22 at any time owned by the authority shall be exempt from all
23 taxation in the state. For the purposes of section 409.402,
24 RSMo, all bonds issued by the authority shall be deemed to be
25 securities issued by a public instrumentality of the state.

1 2. The authority is hereby declared to be performing a
2 public function and bonds and other obligations of the authority
3 are declared to be issued for an essential public and
4 governmental purpose and, accordingly, interest thereon and
5 income therefrom shall be exempt from income taxation by the
6 state.

7 3. The bonds of the authority are securities in which all
8 public officers and bodies of the state and all municipalities
9 and municipal subdivisions, all insurance companies and
10 associations and other persons carrying on an insurance business,
11 all banks, trust companies, savings associations, savings and
12 loan associations and investment companies, all administrators,
13 guardians, executors, trustees, and other fiduciaries, and all
14 other persons whatsoever who are now or may hereafter be
15 authorized to invest in bonds or other obligations of the state,
16 may properly and legally invest funds, including capital, in
17 their control or belonging to them.

18 67.2048. 1. Notwithstanding sections 8.250, 8.285 to
19 8.291, 8.675 to 8.687, RSMo, and section 107.170, RSMo, or any
20 charter provision to the contrary, the authority and any other
21 public body may establish such systems and procedures for the
22 design, construction, and delivery of a sports center
23 redevelopment project as they shall deem necessary or convenient
24 to carry out and effectuate sections 67.2000 to 67.2060,
25 including the use of the design-build method of construction, the

1 use of a construction manager authorized to provide a guaranteed
2 maximum price for the design and construction of the project, and
3 the use of qualifications-based selection of architects,
4 consultants, contractors, or design-builders, provided that:

5 (1) Competitive bids are obtained from subcontractors
6 performing construction work on the project;

7 (2) If a separate performance and payment bond is not
8 required for the construction manager, general contractor, or
9 design-build entity, then all trade work to be performed for the
10 project shall be covered by performance and payment bonds;

11 (3) Any detailed design criteria and final working drawings
12 for the project shall be prepared by a licensed architect or
13 engineer; and

14 (4) The awarding authority and its agents shall not
15 discriminate against bidders, offerors, contractors or
16 subcontractors based upon their becoming or refusing to become
17 signatories to agreements with one or more labor organizations.

18 2. For the purposes of this section, the following terms
19 mean:

20 (1) "Design-build", a process of entering into and managing
21 a contract between the authority or any other public body or any
22 developer or other participant in a sports center redevelopment
23 project and another party in which the other party agrees to both
24 design and build any structure, facility, or other item included
25 in the project;

1 (2) "Qualifications-based selection", a process of entering
2 into and managing a contract between the authority or any other
3 public body or any developer or other participant in a sports
4 center redevelopment project and another party in which the other
5 party is selected on the basis of the party's qualifications and
6 experience in designing or constructing facilities, structures,
7 or other items similar to those the authority is authorized to
8 undertake.

9 67.2051. The authority shall be deemed to be a political
10 subdivision of the state or instrumentality thereof exempt from
11 taxation pursuant to subdivision (1) of subsection 1 of section
12 144.062, RSMo, and shall have the authority to issue exemption
13 certificates pursuant to such section.

14 67.2054. 1. This section shall be referred to as the
15 "Taxpayer Protection Provisions". For the purposes of this
16 section, the following terms mean:

17 (1) "Lease", any lease, project agreement, or similar
18 agreement pursuant to which a team is leasing or using a stadium;

19 (2) "Mixed-use facilities", any housing, offices, museums,
20 entertainment venues, retail stores, restaurants, parking and
21 similar and related facilities included in a sports center
22 redemption plan;

23 (3) "Public participant", the state and any city and county
24 which have established an authority; and

25 (4) "Team", a major league sports team which leases a

1 stadium or is expected to lease a stadium pursuant to a sports
2 center redevelopment plan.

3 2. The lease shall be for an initial term of at least
4 thirty-five years, and shall include at a minimum substantially
5 the following provisions, which shall apply for the periods, and
6 be subject to such terms, conditions, limitations, and remedies,
7 as shall be agreed to by the authority and specified in the
8 lease:

9 (1) The team shall play all of its home games at the
10 stadium and shall not relocate outside the boundaries of the city
11 in which the stadium is located;

12 (2) The team shall make available at least six thousand
13 tickets per regular season home game in the stadium at a price of
14 not more than twelve dollars per ticket which may be adjusted for
15 inflation from a base year of the second calendar year before the
16 adoption of the resolution or declaration approving the need for
17 establishing a sports center redevelopment authority;

18 (3) The team, in conjunction with the public participants,
19 shall distribute at least one hundred thousand complimentary
20 tickets per year to Missouri youth and other Missouri charitable
21 organizations;

22 (4) The team shall contribute at least one hundred thousand
23 dollars each per year to the development, construction, or
24 refurbishment of neighborhood recreational facilities that will
25 primarily benefit or serve disadvantaged youth in the city and

1 the county which have established an authority;

2 (5) The team shall pay all operating and maintenance
3 expenses of the stadium, and shall pay or cause the payment of
4 costs of capital improvements to the stadium in accordance with
5 the terms of the lease, provided that no moneys from the sale of
6 naming rights shall be used, directly or indirectly, for such
7 operation or maintenance expenses during the term of the lease;

8 (6) In the event of the sale of the team within the fifteen
9 calendar year period beginning with the third calendar year
10 preceding the calendar year in which the stadium is initially
11 opened for play of a major league sport, the team or its owners
12 shall pay to the authority and the public participants a portion
13 of the profits which is attributable to the lease and the
14 stadium. Such portion shall initially be between twelve percent
15 and sixteen percent and may decline during the period in which it
16 is payable in such manner as may be set forth in the lease. Such
17 portion of the profits shall be payable under the circumstances
18 and in accordance with such criteria and formula as shall be
19 determined by the authority and the public participants in their
20 sole judgment and agreed to by the team and provided in the
21 lease; and

22 (7) The team shall make payments in lieu of taxes in each
23 year to the city and other taxing districts in which the stadium
24 is located in an amount equal to the amounts of ad valorem
25 property taxes paid in the calendar year immediately preceding

1 the calendar year in which the resolution or declaration
2 approving the need for a sports center redevelopment authority is
3 adopted less the amounts of any ad valorem property taxes and
4 payments in lieu of such taxes paid in each such year to the city
5 and other taxing districts with respect to the stadium, the
6 lease, and the mixed-use facilities.

7 3. The team shall guarantee the acquisition, construction,
8 and equipping of the stadium in accordance with the sports center
9 redevelopment plan, and shall be responsible for paying any cost
10 overruns in connection therewith, subject to compliance by the
11 authority and the sponsors with their commitments and
12 undertakings regarding the stadium made in accordance with
13 sections 67.2000 to 67.2060 and to such commercially reasonable
14 force majeure provisions as may be agreed to by the authority and
15 the public participants.

16 4. The team shall provide to the public participants
17 guarantees or other assurances or undertakings satisfactory to
18 them as to the commencement, acquisition, construction, or
19 equipping of the mixed-use facilities, which shall include at a
20 minimum the following:

21 (1) The real property within the sports center
22 redevelopment area which is not used for the stadium and related
23 purposes shall be allocated by the sports center redevelopment
24 plan for mixed-use facilities;

25 (2) In the event that approximately one-half of the real

1 property which is allocated for mixed-use facilities is not
2 developed and substantially completed by a date specified in the
3 sports center redevelopment plan which is not later than six
4 years following the date on which the stadium is open for play by
5 a major league team, the team shall pay or shall cause to be
6 paid:

7 (a) On such date a penalty in the amount of twenty-five
8 million dollars, less the amount which has been paid or funded as
9 of such date for the development of such real property; and

10 (b) Additional penalties aggregating seventy-five million
11 dollars, payable commencing on the first anniversary of such
12 specified date and continuing over the anticipated remaining term
13 of the obligations issued to provide financing for the stadium;

14 (3) In the event that the remaining one-half of the real
15 property which is allocated for mixed-use facilities is not
16 developed and substantially completed by a date specified in the
17 sports center redevelopment plan which is not later than nine
18 years following the date on which the stadium is open for play by
19 a major league team, the team shall, as a penalty for such
20 failure, transfer, convey, or cause the conveyance to the public
21 participants of good and marketable title to that portion of such
22 real property which has not been so developed and substantially
23 completed; and

24 (4) The penalties provided in this subsection shall be
25 payable and performable on such terms and within such times and

1 subject to such conditions, adjustments, and credits, including
2 force majeure and credits for partial completion, as shall be
3 prescribed in the sports center redevelopment plan.

4 5. The team and any developer of the stadium shall comply
5 with all applicable federal, state, and local laws and executive
6 orders regarding contracting, hiring, and employment, subject to
7 section 67.2048. The team shall set a goal for the acquisition,
8 construction, and equipping of the stadium of twenty-five percent
9 for minority-owned business participation and five percent for
10 women-owned business participation. The redevelopment contract
11 shall require all vendors and contractors for the design and
12 construction of the stadium to provide information assuring the
13 enforcement of an equal opportunity employment plan and a
14 minority and women business enterprise program that contains
15 specific goals for each such vendor and contractor, as applicable
16 under state law. In connection with the design and construction
17 of the stadium, the team shall implement and maintain an equal
18 opportunity employment plan and a minority and women business
19 enterprise program with specific goals, which shall be identified
20 and reported by ethnicity and gender. The team shall assure the
21 utilization of minority and women-owned businesses in the design
22 and construction of the stadium, congruent with the established
23 category of goals in construction, professional services,
24 materials and supplies, and other services. The redevelopment
25 contract shall permit the state to monitor and review compliance

1 with this subsection.

2 6. The authority shall not issue any bonds payable from an
3 appropriation by the public participants in support of a stadium
4 included in a sports center redevelopment plan unless such
5 stadium is owned in fee simple title by the authority.

6 7. The authority, as owner of the stadium, shall own the
7 right to name the stadium, subject to the right of the team to
8 approve the name which shall not be unreasonably withheld.

9 8. Any stadium constructed with the proceeds of bonds for
10 which the state is providing an annual appropriation pursuant to
11 subsection 3 of section 67.2033 shall contain a luxury suite
12 which is available to the public through a lottery or other fan
13 selection process, as designated by the authority in the stadium
14 lease, which ensures that the public at large has access to such
15 suite for all home games played at the stadium. No rent, fees or
16 charges of any kind shall apply to the use of such suite.

17 9. The team shall be responsible for all liabilities
18 arising from its occupation and operation of the stadium.
19 Nothing in sections 67.2000 to 67.2060 shall be construed to, and
20 no provision of any agreement implementing or entered into under
21 authority of sections 67.2000 to 67.2060 shall purport to, give
22 the team any immunity or protection from such liability that the
23 team would not otherwise possess.

24 10. If the state naming rights fund is fully depleted, then
25 at the end of each successive three calendar year period

1 thereafter the team shall deposit or cause to be deposited in the
2 state naming rights fund the amount by which, during such three
3 successive calendar year period the total state appropriations
4 pursuant to subsection 3 of section 67.2033 exceed the general
5 revenue portion of state sales tax revenues received pursuant to
6 section 144.020, RSMo, including payments in lieu of such taxes,
7 from the designated sports center redevelopment area plus the
8 state income tax withheld on behalf of employees by the employer
9 pursuant to section 143.221, RSMo, derived from sources within
10 the sports center redevelopment area; provided that if, in the
11 opinion of bond counsel for the state, the application or
12 enforcement of this subsection would cause the interest on any
13 bonds issued or to be issued to finance a redevelopment project
14 or any portion thereof to be taxable under the Internal Revenue
15 Code, then this subsection shall not be applicable or
16 enforceable.

17 67.2056. 1. During each year in which the lease is in
18 effect, the team and the owner of any multipurpose facility
19 located in and owned by any city not within a county shall
20 contribute one hundred fifty thousand dollars each per year to
21 the "African-American Community Trust Fund" which is hereby
22 established. Notwithstanding section 33.080, RSMo, to the
23 contrary, moneys in the African-American community trust fund
24 shall not revert to the general revenue fund. Interest accruing
25 to the fund shall be part of the fund. Moneys in the fund shall

1 be spent in economically disadvantaged areas. Such fund shall be
2 specifically allocated to projects that develop, support, or
3 enhance cultural or sports activities within the minority
4 community. The fund shall be administered by a board of seven
5 members confirmed by the Missouri senate which shall be appointed
6 as follows: one member from each major league sports team
7 subject to a lease; one member from the authority; one member
8 which shall represent minorities appointed by the county
9 executive of the county; one member which shall represent
10 minorities appointed by the mayor of the city; and two members
11 appointed by the community development corporation association
12 pursuant to subsection 3 of section 135.400, RSMo. Members shall
13 serve four-year terms. Such funds shall be specifically
14 allocated to projects that develop, support, or enhance cultural
15 or sports activities within the minority community. The board
16 shall have the responsibility of determining the eligibility of
17 the applicants for these funds. All or part of the funds may be
18 granted to a specific project.

19 67.2057. Sections 67.2000 to 67.2060 shall be construed
20 liberally to effectuate the purposes hereof. Insofar as sections
21 67.2000 to 67.2060 are inconsistent with the provisions of any
22 other law, sections 67.2000 to 67.2060 shall be controlling.

23 67.2060. The powers conferred by sections 67.2000 to
24 67.2060 shall be in addition and supplemental to the powers
25 conferred by any other law.

1 67.2076. 1. The first three million dollars of the state's
2 portion of all sales tax revenue collected pursuant to sections
3 144.010 to 144.525, RSMo, excluding sales taxes that are
4 constitutionally dedicated, including those taxes collected
5 pursuant to article IV of the Missouri Constitution, sections
6 43(a), 43(b), 43(c), 47(a), 47(b), and 47(c), taxes deposited
7 into the school district trust fund in accordance with section
8 144.701, RSMo, taxes dedicated to the state highway department
9 fund in accordance with section 144.440, RSMo, and future similar
10 sales taxes when earmarked by law, when generated by sales
11 inside, on the grounds of, or for tickets to any event in any
12 multipurpose facility located in and owned by any constitutional
13 charter city not within a county for so long as said multipurpose
14 facility is owned by said constitutional charter city not within
15 a county, and is not owned, leased or operated by a regional
16 convention and sports complex authority established pursuant to
17 sections 67.650 to 67.658, RSMo, shall, subject to appropriation
18 after 2006, be placed in a specially designated account
19 established by the collector of revenue of said constitutional
20 charter city not within a county, known as the "Specially
21 Designated Multipurpose Facility Account" which is hereby
22 created. Notwithstanding the provisions of section 33.080, RSMo,
23 to the contrary notwithstanding, moneys in the specially
24 designated multipurpose facility account shall not revert to the
25 general revenue fund. Interest accruing to the specially

1 designated multipurpose facility account shall be part of the
2 fund. The specially designated multipurpose facility account
3 shall be used for the sole purpose of maintenance and
4 refurbishment of such facility or indebtedness or other
5 obligations incurred for maintenance and refurbishment.

6 2. Provided, however, in any fiscal year in which less than
7 twenty national basketball association games are played at said
8 facility, one million dollars of the money deposited in said
9 specially designated multipurpose facility account shall be
10 deposited in the "Facility Development Reserve Account", which is
11 hereby created. Notwithstanding the provisions of section
12 33.080, RSMo, to the contrary notwithstanding, moneys in the
13 facility development reserve account shall not revert to the
14 general revenue fund. Interest accruing to the facility
15 development reserve account shall be part of the account. The
16 money in the facility development reserve account shall be
17 distributed pursuant to the terms of this section solely in
18 connection with an economically viable project involving the
19 repair, maintenance or refurbishment of an adjoining facility
20 which contains at least three thousand five hundred seats,
21 including the repayment of any indebtedness or other obligations
22 incurred for the repair, maintenance and refurbishment of such
23 adjoining facility.

24 3. If no funds are expended for such repair, maintenance or
25 refurbishment pursuant to subsection 2 of this section by June

1 30, 2015, then all funds in the facility development reserve
2 account and all earnings thereon shall be paid to the treasurer
3 of the state and no further amounts shall be deposited in the
4 facility development reserve account.

5 4. If a national basketball association franchise tenant is
6 contractually obligated to play at least twenty games per year in
7 said multipurpose facility on or before June 30, 2015:

8 (1) One-half of the state sales taxes in addition to the
9 three million dollar limit as set forth in subsection 1 of this
10 section shall be placed in such account;

11 (2) The provisions of subsection 2 of this section shall
12 terminate, no further funds shall be deposited in the facility
13 development reserve account and any amounts then on deposit in
14 said facility development reserve account shall be transferred to
15 the specially designated multipurpose facility account
16 established by the director of revenue; and

17 (3) The provisions of subsection 3 of this section shall
18 not apply.

19 5. Beginning in budget year 2006, the state auditor shall
20 conduct an annual audit of all accounts and transactions of the
21 specially designated multipurpose facility account pursuant to
22 section 29.200, RSMo, and such other special audits, including
23 audits of participating cities and counties, as may be necessary.
24 All audit reports shall be presented to the general assembly
25 pursuant to section 181.100, RSMo, and to the authority, the

1 governor, the state treasurer and the attorney general.

2 6. Beginning in budget year 2006, the state auditor shall
3 certify on an annual basis the amount of new state revenues and
4 the commissioner of administration shall not seek an
5 appropriation pursuant to this subsection until the state auditor
6 has provided such certification.

7 7. The provisions of this section shall become effective
8 July 1, 2005.

9 99.845. 1. A municipality, either at the time a
10 redevelopment project is approved or, in the event a municipality
11 has undertaken acts establishing a redevelopment plan and
12 redevelopment project and has designated a redevelopment area
13 after the passage and approval of sections 99.800 to 99.865 but
14 prior to August 13, 1982, which acts are in conformance with the
15 procedures of sections 99.800 to 99.865, may adopt tax increment
16 allocation financing by passing an ordinance providing that after
17 the total equalized assessed valuation of the taxable real
18 property in a redevelopment project exceeds the certified total
19 initial equalized assessed valuation of the taxable real property
20 in the redevelopment project, the ad valorem taxes, and payments
21 in lieu of taxes, if any, arising from the levies upon taxable
22 real property in such redevelopment project by taxing districts
23 and tax rates determined in the manner provided in subsection 2
24 of section 99.855 each year after the effective date of the
25 ordinance until redevelopment costs have been paid shall be

1 divided as follows:

2 (1) That portion of taxes, penalties and interest levied
3 upon each taxable lot, block, tract, or parcel of real property
4 which is attributable to the initial equalized assessed value of
5 each such taxable lot, block, tract, or parcel of real property
6 in the area selected for the redevelopment project shall be
7 allocated to and, when collected, shall be paid by the county
8 collector to the respective affected taxing districts in the
9 manner required by law in the absence of the adoption of tax
10 increment allocation financing;

11 (2) Payments in lieu of taxes attributable to the increase
12 in the current equalized assessed valuation of each taxable lot,
13 block, tract, or parcel of real property in the area selected for
14 the redevelopment project and any applicable penalty and interest
15 over and above the initial equalized assessed value of each such
16 unit of property in the area selected for the redevelopment
17 project shall be allocated to and, when collected, shall be paid
18 to the municipal treasurer who shall deposit such payment in lieu
19 of taxes into a special fund called the "Special Allocation Fund"
20 of the municipality for the purpose of paying redevelopment costs
21 and obligations incurred in the payment thereof. Payments in
22 lieu of taxes which are due and owing shall constitute a lien
23 against the real estate of the redevelopment project from which
24 they are derived and shall be collected in the same manner as the
25 real property tax, including the assessment of penalties and

1 interest where applicable. The municipality may, in the
2 ordinance, pledge the funds in the special allocation fund for
3 the payment of such costs and obligations and provide for the
4 collection of payments in lieu of taxes, the lien of which may be
5 foreclosed in the same manner as a special assessment lien as
6 provided in section 88.861, RSMo. No part of the current
7 equalized assessed valuation of each lot, block, tract, or parcel
8 of property in the area selected for the redevelopment project
9 attributable to any increase above the total initial equalized
10 assessed value of such properties shall be used in calculating
11 the general state school aid formula provided for in section
12 163.031, RSMo, until such time as all redevelopment costs have
13 been paid as provided for in this section and section 99.850;

14 (3) For purposes of this section, "levies upon taxable real
15 property in such redevelopment project by taxing districts" shall
16 not include the blind pension fund tax levied under the authority
17 of article III, section 38(b) of the Missouri Constitution, or
18 the merchants' and manufacturers' inventory replacement tax
19 levied under the authority of subsection 2 of section 6 of
20 article X, of the Missouri Constitution, except in redevelopment
21 project areas in which tax increment financing has been adopted
22 by ordinance pursuant to a plan approved by vote of the governing
23 body of the municipality taken after August 13, 1982, and before
24 January 1, 1998.

25 2. In addition to the payments in lieu of taxes described

1 in subdivision (2) of subsection 1 of this section, for
2 redevelopment plans and projects adopted or redevelopment
3 projects approved by ordinance after July 12, 1990, and prior to
4 August 31, 1991, fifty percent of the total additional revenue
5 from taxes, penalties and interest imposed by the municipality,
6 or other taxing districts, which are generated by economic
7 activities within the area of the redevelopment project over the
8 amount of such taxes generated by economic activities within the
9 area of the redevelopment project in the calendar year prior to
10 the adoption of the redevelopment project by ordinance, while tax
11 increment financing remains in effect, but excluding taxes
12 imposed on sales or charges for sleeping rooms paid by transient
13 guests of hotels and motels, taxes levied pursuant to section
14 70.500, RSMo, licenses, fees or special assessments other than
15 payments in lieu of taxes and any penalty and interest thereon,
16 or, effective January 1, 1998, taxes levied pursuant to section
17 94.660, RSMo, for the purpose of public transportation, shall be
18 allocated to, and paid by the local political subdivision
19 collecting officer to the treasurer or other designated financial
20 officer of the municipality, who shall deposit such funds in a
21 separate segregated account within the special allocation fund.
22 Any provision of an agreement, contract or covenant entered into
23 prior to July 12, 1990, between a municipality and any other
24 political subdivision which provides for an appropriation of
25 other municipal revenues to the special allocation fund shall be

1 and remain enforceable.

2 3. In addition to the payments in lieu of taxes described
3 in subdivision (2) of subsection 1 of this section, for
4 redevelopment plans and projects adopted or redevelopment
5 projects approved by ordinance after August 31, 1991, fifty
6 percent of the total additional revenue from taxes, penalties and
7 interest which are imposed by the municipality or other taxing
8 districts, and which are generated by economic activities within
9 the area of the redevelopment project over the amount of such
10 taxes generated by economic activities within the area of the
11 redevelopment project in the calendar year prior to the adoption
12 of the redevelopment project by ordinance, while tax increment
13 financing remains in effect, but excluding personal property
14 taxes, taxes imposed on sales or charges for sleeping rooms paid
15 by transient guests of hotels and motels, taxes levied pursuant
16 to section 70.500, RSMo, or effective January 1, 1998, taxes
17 levied for the purpose of public transportation pursuant to
18 section 94.660, RSMo, licenses, fees or special assessments other
19 than payments in lieu of taxes and penalties and interest
20 thereon, shall be allocated to, and paid by the local political
21 subdivision collecting officer to the treasurer or other
22 designated financial officer of the municipality, who shall
23 deposit such funds in a separate segregated account within the
24 special allocation fund.

25 4. Beginning January 1, 1998, for redevelopment plans and

1 projects adopted or redevelopment projects approved by ordinance
2 and which have complied with subsections 4 to 12 of this section,
3 in addition to the payments in lieu of taxes and economic
4 activity taxes described in subsections 1, 2 and 3 of this
5 section, up to fifty percent of the new state revenues, as
6 defined in subsection 8 of this section, estimated for the
7 businesses within the project area and identified by the
8 municipality in the application required by subsection 10 of this
9 section, over and above the amount of such taxes reported by
10 businesses within the project area as identified by the
11 municipality in their application prior to the approval of the
12 redevelopment project by ordinance, while tax increment financing
13 remains in effect, may be available for appropriation by the
14 general assembly as provided in subsection 10 of this section to
15 the department of economic development supplemental tax increment
16 financing fund, from the general revenue fund, for distribution
17 to the treasurer or other designated financial officer of the
18 municipality with approved plans or projects.

19 5. The treasurer or other designated financial officer of
20 the municipality with approved plans or projects shall deposit
21 such funds in a separate segregated account within the special
22 allocation fund established pursuant to section 99.805.

23 6. No transfer from the general revenue fund to the
24 Missouri supplemental tax increment financing fund shall be made
25 unless an appropriation is made from the general revenue fund for

1 that purpose. No municipality shall commit any state revenues
2 prior to an appropriation being made for that project. For all
3 redevelopment plans or projects adopted or approved after
4 December 23, 1997, appropriations from the new state revenues
5 shall not be distributed from the Missouri supplemental tax
6 increment financing fund into the special allocation fund unless
7 the municipality's redevelopment plan ensures that one hundred
8 percent of payments in lieu of taxes and fifty percent of
9 economic activity taxes generated by the project shall be used
10 for eligible redevelopment project costs while tax increment
11 financing remains in effect. This account shall be separate from
12 the account into which payments in lieu of taxes are deposited,
13 and separate from the account into which economic activity taxes
14 are deposited.

15 7. In order for the redevelopment plan or project to be
16 eligible to receive the revenue described in subsection 4 of this
17 section, the municipality shall comply with the requirements of
18 subsection 10 of this section prior to the time the project or
19 plan is adopted or approved by ordinance. The director of the
20 department of economic development and the commissioner of the
21 office of administration may waive the requirement that the
22 municipality's application be submitted prior to the
23 redevelopment plan's or project's adoption or the redevelopment
24 plan's or project's approval by ordinance.

25 8. For purposes of this section, "new state revenues"

1 means:

2 (1) The incremental increase in the general revenue portion
3 of state sales tax revenues received pursuant to section 144.020,
4 RSMo, excluding sales taxes that are constitutionally dedicated,
5 taxes deposited to the school district trust fund in accordance
6 with section 144.701, RSMo, sales and use taxes on motor
7 vehicles, trailers, boats and outboard motors and future sales
8 taxes earmarked by law. The incremental increase in the general
9 revenue portion of state sales tax revenues for an existing or
10 relocated facility shall be the amount that current state sales
11 tax revenue exceeds the state sales tax revenue in the base year
12 as stated in the redevelopment plan as provided in subsection 10
13 of this section; or

14 (2) The state income tax withheld on behalf of new
15 employees by the employer pursuant to section 143.221, RSMo, at
16 the business located within the project as identified by the
17 municipality. The state income tax withholding allowed by this
18 section shall be the municipality's estimate of the amount of
19 state income tax withheld by the employer within the
20 redevelopment area for new employees who fill new jobs directly
21 created by the tax increment financing project.

22 9. Subsection 4 of this section shall apply only to
23 blighted areas located in enterprise zones, pursuant to sections
24 135.200 to 135.256, RSMo, blighted areas located in federal
25 empowerment zones, or to blighted areas located in central

1 business districts or urban core areas of cities which districts
2 or urban core areas at the time of approval of the project by
3 ordinance, provided that the enterprise zones, federal
4 empowerment zones or blighted areas contained one or more
5 buildings at least fifty years old; and

6 (1) Suffered from generally declining population or
7 property taxes over the twenty-year period immediately preceding
8 the area's designation as a project area by ordinance; or

9 (2) Was a historic hotel located in a county of the first
10 classification without a charter form of government with a
11 population according to the most recent federal decennial census
12 in excess of one hundred fifty thousand and containing a portion
13 of a city with a population according to the most recent federal
14 decennial census in excess of three hundred fifty thousand.

15 10. The initial appropriation of up to fifty percent of the
16 new state revenues authorized pursuant to subsections 4 and 5 of
17 this section shall not be made to or distributed by the
18 department of economic development to a municipality until all of
19 the following conditions have been satisfied:

20 (1) The director of the department of economic development
21 or his or her designee and the commissioner of the office of
22 administration or his or her designee have approved a tax
23 increment financing application made by the municipality for the
24 appropriation of the new state revenues. The municipality shall
25 include in the application the following items in addition to the

1 items in section 99.810:

2 (a) The tax increment financing district or redevelopment
3 area, including the businesses identified within the
4 redevelopment area;

5 (b) The base year of state sales tax revenues or the base
6 year of state income tax withheld on behalf of existing
7 employees, reported by existing businesses within the project
8 area prior to approval of the redevelopment project;

9 (c) The estimate of the incremental increase in the general
10 revenue portion of state sales tax revenue or the estimate for
11 the state income tax withheld by the employer on behalf of new
12 employees expected to fill new jobs created within the
13 redevelopment area after redevelopment;

14 (d) The official statement of any bond issue pursuant to
15 this subsection after December 23, 1997;

16 (e) An affidavit that is signed by the developer or
17 developers attesting that the provisions of subdivision (1) of
18 section 99.810 have been met and specifying that the
19 redevelopment area would not be reasonably anticipated to be
20 developed without the appropriation of the new state revenues;

21 (f) The cost-benefit analysis required by section 99.810
22 includes a study of the fiscal impact on the state of Missouri;
23 and

24 (g) The statement of election between the use of the
25 incremental increase of the general revenue portion of the state

1 sales tax revenues or the state income tax withheld by employers
2 on behalf of new employees who fill new jobs created in the
3 redevelopment area;

4 (2) The methodologies used in the application for
5 determining the base year and determining the estimate of the
6 incremental increase in the general revenue portion of the state
7 sales tax revenues or the state income tax withheld by employers
8 on behalf of new employees who fill new jobs created in the
9 redevelopment area shall be approved by the director of the
10 department of economic development or his or her designee and the
11 commissioner of the office of administration or his or her
12 designee. Upon approval of the application, the director of the
13 department of economic development or his or her designee and the
14 commissioner of the office of administration or his or her
15 designee shall issue a certificate of approval. The department
16 of economic development may request the appropriation following
17 application approval;

18 (3) The appropriation shall be either a portion of the
19 estimate of the incremental increase in the general revenue
20 portion of state sales tax revenues in the redevelopment area or
21 a portion of the estimate of the state income tax withheld by the
22 employer on behalf of new employees who fill new jobs created in
23 the redevelopment area as indicated in the municipality's
24 application, approved by the director of the department of
25 economic development or his or her designee and the commissioner

1 of the office of administration or his or her designee. At no
2 time shall the aggregate annual appropriation of the new state
3 revenues for redevelopment areas exceed fifteen million dollars;

4 (4) Redevelopment plans and projects receiving new state
5 revenues shall have a duration of up to fifteen years, unless
6 prior approval for a longer term is given by the director of the
7 department of economic development or his or her designee and the
8 commissioner of the office of administration or his or her
9 designee; except that, in no case shall the duration exceed
10 twenty-three years.

11 11. In addition to the areas authorized in subsection 9 of
12 this section, the funding authorized pursuant to subsection 4 of
13 this section shall also be available in a federally approved
14 levee district, where construction of a levee begins after
15 December 23, 1997, and which is contained within a county of the
16 first classification without a charter form of government with a
17 population between fifty thousand and one hundred thousand
18 inhabitants which contains all or part of a city with a
19 population in excess of four hundred thousand or more
20 inhabitants.

21 12. There is hereby established within the state treasury a
22 special fund to be known as the "Missouri Supplemental Tax
23 Increment Financing Fund", to be administered by the department
24 of economic development. The department shall annually
25 distribute from the Missouri supplemental tax increment financing

1 fund the amount of the new state revenues as appropriated as
2 provided in the provisions of subsections 4 and 5 of this section
3 if and only if the conditions of subsection 10 of this section
4 are met. The fund shall also consist of any gifts,
5 contributions, grants or bequests received from federal, private
6 or other sources. Moneys in the Missouri supplemental tax
7 increment financing fund shall be disbursed per project pursuant
8 to state appropriations.

9 13. All personnel and other costs incurred by the
10 department of economic development for the administration and
11 operation of subsections 4 to 12 of this section shall be paid
12 from the state general revenue fund. On an annual basis, the
13 general revenue fund shall be reimbursed for the full amount of
14 such costs by the developer or developers of the project or
15 projects for which municipalities have made tax increment
16 financing applications for the appropriation of new state
17 revenues, as provided for in subdivision (1) of subsection 10 of
18 this section. The amount of costs charged to each developer
19 shall be based upon the percentage arrived at by dividing the
20 monetary amount of the application made by each municipality for
21 a particular project by the total monetary amount of all
22 applications received by the department of economic development.

23 14. In order to promote tourism and economic development
24 any constitutional charter city with a population of at least one
25 hundred and fifty thousand inhabitants within a first class

1 noncharter county shall be eligible for funding of an exposition
2 center pursuant to subsection 4 of this section provided the
3 following conditions are satisfied:

4 (1) The city has adopted a redevelopment plan prior to 2002
5 which includes a redevelopment project for an exposition center
6 that is designed to provide space for meetings and display of
7 materials or products as part of a program to promote
8 conventions, tourism and economic development located on land
9 owned by the city;

10 (2) The redevelopment plan at the time of its adoption met
11 all of the conditions of subsections 4 to 12 of this section;

12 (3) The exposition center will cost not less than twelve
13 and one-half million dollars and will be constructed by the city;

14 (4) The exposition center will be owned by the city for not
15 less than thirty-five years;

16 (5) The exposition center shall be constructed by September
17 of 2004;

18 (6) State funding shall not exceed the actual amount of new
19 state revenue created within the development area;

20 (7) There shall be no appropriation prior to budget year
21 2006;

22 (8) Starting in budget year 2006, the state shall
23 appropriate one-half of new state revenues created within the
24 redevelopment area pursuant to subsection 4 of this section
25 provided every three years thereafter the state shall determine

1 actual new state revenues and adjust accordingly so that the
2 revenues appropriated by the state reflect on the average actual
3 new state revenues, provided that in no event shall the aggregate
4 contribution of the state to the exposition center exceed
5 eighteen million dollars;

6 (9) Subject to the limitations in subdivision (8) of this
7 subsection the state shall appropriate annually starting in
8 budget year 2006 a sum sufficient to capitalize the state's
9 contribution to the exposition center, which shall not exceed a
10 debt financing of more than nine million dollars, as determined
11 pursuant to subdivision (8) of this subsection, over twenty-three
12 years;

13 (10) Funds appropriated by the state may be used by the
14 city for the repayment of any indebtedness or other obligations
15 incurred for construction of the exposition center;

16 (11) The city shall be responsible for all costs in excess
17 of the state's contribution;

18 (12) No state sales tax revenue generated from
19 constitutionally dedicated sales taxes and taxes deposited to the
20 school district tax fund pursuant to section 144.701, RSMo, shall
21 be used to fund the exposition center; and

22 (13) The governor is authorized to enter into an agreement
23 with any city which has adopted a redevelopment plan prior to
24 2002 which includes as part of the redevelopment plan an
25 exposition center subject to the conditions of this subsection.

1 (14) Beginning in budget year 2006, the state auditor shall
2 conduct an annual audit of all accounts and transactions of the
3 authority pursuant to section 29.200, RSMo, and such other
4 special audits, including audits of participating cities and
5 counties, as may be necessary. All audit reports shall be
6 presented to the general assembly pursuant to section 181.100,
7 RSMo, and to the authority, the governor, the state treasurer and
8 the attorney general.

9 (15) Beginning in budget year 2006, the state auditor shall
10 certify on an annual basis the amount of new state revenues and
11 the commissioner of administration shall not seek an
12 appropriation pursuant to this subsection until the state auditor
13 has provided such certification.

14 15. In order to eliminate or prevent blight and to promote
15 tourism and economic development, any city with more than two
16 thousand five hundred hotel and motel rooms within its municipal
17 limits shall be eligible for funding of a convention center and
18 arena facility pursuant to subdivisions (7) and (8) of this
19 subsection provided the following conditions are satisfied:

20 (1) The city has, prior to December 31, 2002, approved a
21 redevelopment plan and a redevelopment project which includes a
22 convention center and arena facility that is designed to provide
23 space for meetings and display of materials or products and host
24 events as part of a program to promote conventions, tourism and
25 economic development located on land owned or to be owned by the

1 city;

2 (2) The convention center and arena facility will cost not
3 less seventy-five million dollars and will be constructed by or
4 on behalf of the city pursuant to the redevelopment plan;

5 (3) The convention center and arena facility will be owned
6 by the city or leased to the city for a term of not less than
7 thirty-five years;

8 (4) Construction of the convention center and arena
9 facility will commence by September, 2004;

10 (5) State funding shall not exceed the actual amount of new
11 state revenues created within the development area described in
12 the redevelopment plan;

13 (6) There shall be no appropriation from the state prior to
14 fiscal year 2006;

15 (7) Starting in fiscal year 2006, or the budget year
16 following completion of the convention center and arena facility
17 if such budget year is later than 2005, the state shall
18 appropriate one-half of new state revenues created within the
19 redevelopment area described in the redevelopment plan pursuant
20 to this subsection provided every three years thereafter the
21 state shall determine actual new state revenues and adjust
22 accordingly so that the revenues appropriated by the state
23 reflect on the average actual new state revenues, provided that
24 in no event shall the aggregate contribution of the state to the
25 convention center and arena facility exceed thirty-two million

1 dollars;

2 (8) Subject to the limitations in subdivision (7) of this
3 subsection, the state shall appropriate annually starting in
4 fiscal year 2006, or the budget year following completion of the
5 convention center and arena facility if such budget year is later
6 than 2005, a sum sufficient to capitalize the state's
7 contribution to the convention center and arena facility, as
8 determined pursuant to subdivision (7) of this subsection, over
9 twenty-three years; provided, however, in no event shall the
10 contribution of the state exceed one million four hundred
11 thousand dollars in any fiscal year;

12 (9) Funds appropriated by the state may be used by the city
13 for the repayment of any indebtedness or other obligations
14 incurred by the city for construction of the convention center
15 and arena facility;

16 (10) The city shall be responsible for all costs in excess
17 of the state's contribution;

18 (11) No state sales tax revenue generated from
19 constitutionally dedicated sales taxes and taxes deposited to the
20 school district tax fund pursuant to section 144.701, RSMo, shall
21 be used to fund the exposition center; and

22 (12) The governor shall enter into an agreement with any
23 city which has adopted a redevelopment plan prior to 2002 which
24 includes as part of the redevelopment plan a convention center
25 and arena facility subject to the conditions of this subsection

1 for the purposes of evidencing the terms and condition on which
2 the state will provide the assistance described in subdivisions
3 (7), (8), and (9) of this subsection;

4 (13) Notwithstanding any other provision of law to the
5 contrary, the redevelopment area described in the redevelopment
6 plan adopted by the city prior to 2002 pursuant to this section
7 shall be entitled to a new twenty-three-year period in accordance
8 with section 99.810, RSMo, notwithstanding the fact that such
9 area may have been included within a redevelopment area
10 previously approved by the city;

11 (14) Any proceedings involving the validity or
12 enforceability of any security for any bond, note or obligation
13 issued by any city shall be conclusively deemed to have been
14 completed by the city in accordance with the laws under which
15 such proceedings were authorized notwithstanding any technical or
16 other defects or omissions in such proceedings, and such
17 proceedings shall not be subject to legal challenge on and after
18 the date the board issues bonds, notes or other obligation by or
19 on behalf of such city unless such challenge is brought within
20 ninety days following the completion of the proceedings of the
21 city or such shorter period as may be prescribed in any law
22 authorizing such proceedings.

23 (15) Notwithstanding any provision of law to the contrary,
24 the security for any bond, note or other obligation issued by or
25 on behalf of the city to finance infrastructure facilities may

1 include a pledge of payments in lieu of taxes or a pledge or
2 appropriation of economic activity tax revenues generated within
3 a redevelopment area designated by any development agency
4 pursuant to the provisions of sections 99.800 to 99.865, whether
5 or not the infrastructure facilities to be financed with the
6 proceeds of bonds or notes issued by the board are located within
7 the boundaries of said redevelopment area are generating such
8 taxes or revenues.

9 (16) Beginning in budget year 2006, the state auditor shall
10 conduct an annual audit of all accounts and transactions of the
11 authority pursuant to section 29.200, RSMo, and such other
12 special audits, including audits of participating cities and
13 counties, as may be necessary. All audit reports shall be
14 presented to the general assembly pursuant to section 181.100,
15 RSMo, and to the authority, the governor, the state treasurer and
16 the attorney general.

17 (17) Beginning in budget year 2006, the state auditor shall
18 certify on an annual basis the amount of new state revenues and
19 the commissioner of administration shall not seek an
20 appropriation pursuant to this subsection until the state auditor
21 has provided such certification.

22 16. This section shall apply to a municipality's
23 redevelopment plans and projects in redevelopment areas
24 consisting of or containing residential and multifamily
25 properties only upon approval of the tax increment allocation

1 financing proposal by the school board or boards of the school
2 district or districts in which the residential or multifamily
3 properties are located.

4 172.273. 1. The curators of the University of Missouri may
5 establish research, development and office park projects, in
6 order to promote cooperative relationships and to provide for
7 shared resources between private individuals, companies and
8 corporations, and the University of Missouri, for the advancement
9 of the university in carrying out its educational mission and
10 such projects are declared to be in furtherance of the purposes
11 of the university.

12 2. The curators may, in connection with such projects,
13 enter into written, mutually binding leases or agreements with
14 individuals, businesses, corporations, and professional firms
15 participating in the project for the purpose of expanding
16 business and professional opportunities for students, faculty and
17 graduates of the university and of the area it serves, and for
18 making available to the university the resources and expertise of
19 the business and professional entities participating in the
20 project.

21 3. The curators may purchase necessary land and may
22 purchase and construct or arrange for or permit the construction
23 of any necessary facilities for such projects, may utilize the
24 power of eminent domain, and may in any other manner acquire and
25 accept in the name of the curators of the University of Missouri

1 suitable land and facilities for such projects, and may enter
2 into business arrangements, including long-term leases, for the
3 development thereof. The curators may also acquire options upon
4 lands to be purchased. Lands and improvements utilized as a part
5 of such projects, so long as they remain a part of a project,
6 shall not be subject to local zoning or local regulatory
7 ordinances; provided that if the project is located within a city
8 or county, the university is required to consult with the city or
9 county, prior to board of curators' approval of the master
10 development plan or substantial amendments thereto. The city or
11 county plan commission may hold and complete a public hearing on
12 such plan within forty-five days of submission to the city or
13 county and the city or county within fifteen days thereafter may
14 issue its advisory recommendations to the curators. The curators
15 may in their sole discretion require that project development
16 conform to the planning, transportation, environmental, health
17 and safety requirements of such city or county. Interests in
18 property included in such projects may be conveyed as needed,
19 without passage of a concurrent resolution as provided by the
20 provisions of section 172.020. The utilization of the real
21 property, as provided in subsection 1 of this section, is hereby
22 deemed to be a public purpose and in furtherance of the purposes
23 of the university. Provided such land is owned by the
24 university, no leasehold or other interest therein, by whomsoever
25 held, shall be separately assessed or taxed, and such real

1 property as a whole shall be deemed the property of the curators
2 of the University of Missouri and be exempt from all forms of
3 property tax.

4 4. For the purpose of developing and operating the project,
5 the curators may enter into cooperative agreements, including
6 leases, in the same manner and to the same extent that political
7 subdivisions are authorized to enter into such agreements by the
8 provisions of section 70.220, RSMo.

9 5. Whenever the curators' acquisition of land for such a
10 research, development and office park project will result in
11 displacement, relocation assistance and monetary benefits
12 identical to those provided by subchapter II of the Uniform
13 Relocation Assistance and Real Property Acquisition Policies Act
14 of 1970, 42 U.S.C. 4621 et seq., and its implementing regulations
15 shall be afforded to each displaced occupant or entity.

16 6. Notwithstanding the exemption of the curators of the
17 University of Missouri from municipal regulation and the
18 provisions of subsection 3 of this section, any entity acting
19 pursuant to a lease or cooperative agreement with the curators
20 may request that permits, licenses and certificates be issued by
21 a city or county where a project is to be located in order to aid
22 in the construction, operation and financing of such project.
23 Such permits, licenses and certificates may be issued by the city
24 or county after review and approval of plans submitted by an
25 architect or engineer licensed to practice in the state of

1 Missouri. Any entity may also request that inspections be
2 conducted by such city or county if such activities are normally
3 performed by the city or county in the enforcement of its
4 building code.

5 7. Such doctrines of sovereign and official immunity and
6 the public duty doctrines as now exist for the issuance of
7 permits, licenses, certificates and performance of inspections
8 shall apply to any city, county or official or employee thereof
9 issuing permits, licenses, and certificates or performing
10 inspections pursuant thereto with respect to any claim brought
11 for damages as a result of the wrongful or negligent issuance of
12 such permit, license or certificate or the performance of
13 inspections.

14 8. The exemption from assessment and taxation provided by
15 subsection 3 of this section for leaseholds in property owned by
16 the university in a research park project shall not be available
17 for leases entered into from and after August 28, 1996.
18 Notwithstanding the foregoing and any provision of this section
19 to the contrary, all leaseholds in property in such parks leased
20 by the university to tenants for research, development, office or
21 any other nonrecreational use prior to August 28, 1996, including
22 leaseholds created after August 28, 1996, under options or
23 similar rights which were granted prior to January 1, 1996, shall
24 be exempt from assessment and taxation for the term of such
25 lease, provided that leaseholds in property used for recreational

1 purposes shall be subject to assessment and taxation as
2 determined by the assessor of the local political subdivision,
3 and all lands and improvements in such parks, by whomsoever
4 owned.

5 9. After July 2006, and subject to an appropriation for
6 that purpose, the curators of the University of Missouri, may
7 establish a research, development and office park in any county
8 of the first classification with a population of at least six
9 hundred fifty-four thousand five hundred inhabitants and less
10 than six hundred fifty-six thousand inhabitants to foster
11 business development and provide business incubator facilities.
12 The curators of the University of Missouri are encouraged, to the
13 largest extent possible, to reinvest any profits resulting from
14 the provisions of this section in the research activities of the
15 University of Missouri. All appropriations and expenditures made
16 pursuant to this subsection shall be subject to the provisions of
17 executive order 01-10, as such provisions were promulgated by the
18 governor on July 23, 2001, and regardless of whether said
19 executive order is in effect or is later amended.

20 253.559. 1. To claim the credit authorized pursuant to
21 sections 253.550 to 253.561 of senate bill no. 1 of the second
22 extraordinary session of the eighty-ninth general assembly and
23 section 253.557 of this act, the taxpayer shall apply to the
24 department of economic development which, in consultation with
25 the department of natural resources, shall determine the amount

1 of eligible rehabilitation costs and expenses and whether the
2 rehabilitation meets the standards of the Secretary of the United
3 States Department of the Interior for rehabilitation as
4 determined by the state historic preservation officer of the
5 Missouri department of natural resources. For financial
6 institutions credits authorized pursuant to sections 253.550 to
7 253.561 shall be deemed to be "economic development credits" for
8 purposes of section 148.064, RSMo. The issuing of certificates
9 of eligible credits to taxpayers shall be performed by the
10 department of economic development. The taxpayer shall attach
11 the certificate to all Missouri income tax returns on which the
12 credit is claimed.

13 2. Beginning July 1, 2006, the department of economic
14 development shall issue certificates of eligible tax credits in
15 the order in which the applications for such eligible credits
16 were received. The cumulative amount of certificates of eligible
17 tax credits which may be issued by the department of economic
18 development shall not exceed sixty million dollars in any fiscal
19 year. Credits that have been applied for and that are determined
20 to be eligible credits after the applicable fiscal year limit has
21 been met shall hold their place and shall be eligible for a
22 certificate in the next fiscal year in which the limit is not yet
23 met.

24 [2.] 3. The department of economic development shall
25 determine, on an annual basis, the overall economic impact to the

1 state from the rehabilitation of eligible property.